HUMAN RIGHTS COUNCIL DISCUSSES RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED FORMS OF INTOLERANCE

Hears from Working Group of Experts on People of African Descent, Working Group on Implementation of the Durban Declaration and Committee on Complementary Standards

23 March 2010

Original Source: *http://www.unog.ch/unog/website/news\_media.nsf/(httpNewsByYear\_en)/F8CAD34BA53D5F5FC12576EF0048C407?OpenDocument*

The Human Rights Council this afternoon opened its discussion on racism, racial discrimination, xenophobia and related forms of intolerance, hearing presentations by the Chairpersons of the Working Group of Experts on People of African Descent, the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on Complementary Standards. The Council then held a general debate on racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action.

Mirjana Najcevska, Chairperson of the Working Group of Experts on People of African Descent, said on the country visit to Ecuador, the Working Group appreciated that the Government of Ecuador was open, aware of the existing problems and committed to facing these challenges with innovative programmes and legislative initiatives. The Working Group was particularly impressed by the new Constitution, adopted in 2008, which allowed for advances to be made in the protection and promotion of the human rights of all vulnerable groups, including the population of African descent, as well as institutional development following the adoption of the Constitution. No country was free from racism, and Ecuador was no exception. The Government recognized that there was racism in Ecuador, although it was not manifested openly in society and there were no racist movements.

Ecuador, speaking as a concerned country, thanked the Working Group for its report. After a broad and inclusive process of dialogue, Ecuador had adopted its new Constitution in 2008; it embodied innovative elements, and was based on the principle that Ecuador was a pluri-national State. Nobody could be discriminated against on the grounds of ethnicity or cultural identity. A racist motive was an aggravating circumstance when a crime was committed. Among the problems currently affecting Afro-descendants in Ecuador were access to basic services such as health services and education, as well as access to adequate housing. Ecuador had taken note of all the recommendations of the Working Group and it had already begun initiatives, such as the launching of a national campaign to promote multi-culturalism.

In the interactive dialogue with the Chairperson of the Working Group of Experts on People of African Descent, speakers paid homage to Professor Rex Nettleford, who had been a member of the Working Group and had passed away in January 2010. Speakers said they had been inspired by his intellect and his profound commitment to the eradication of racial discrimination. They also praised the municipal authorities of Quito for having taken several measures to promote and improve the situation of people of African-descant in Ecuador. They agreed with the conclusion of the Working Group to call on Ecuador to adopt a text on discrimination.

Speaking in the interactive debate were the United States, Sudan on behalf of the Arab Group and Libya. Also speaking were the Defender del Pueblo of Ecuador and the International Youth and Student Movement for the United Nations.

Mohamed Siad Douale, Chairperson-Rapporteur of the Inter-Governmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, said the Durban Review Conference and the adoption of its Outcome Document reinvigorated the commitment by States to the anti-racism agenda. The Outcome Document, together with the Durban Declaration and Programme of Action, provided the most comprehensive global framework to date for combating racism, xenophobia, and related intolerance, which were a concern to all peoples and countries, occurring on a daily basis, hindering progress of millions of people around the world, denying individuals the basic principle of equality and fuelling ethnic hatred that could destroy lives and communities. No country could claim to be free of this scourge - through history, the most egregious crimes were rooted in racism, which included genocide, slavery and apartheid. It was the international community's responsibility to work whole-heartedly towards the eradication of these ills.

Idriss Jazairy, Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards, said the Committee’s second session had provided an opportunity to build on the momentum of the Durban Review Conference and to focus on the challenge of addressing more effectively racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations. After several rounds of consultations with coordinators and interested delegations, a number of issues had been identified for inclusion in the programme of work and had been discussed during the session. Those issues included advocacy and incitement to racial, ethnic, national and religious hatred; comprehensive anti-discrimination legislation; discrimination based on religion or belief; hate crimes; human rights education; and provision of free legal aid to victims.

In the general debate on racism, racial discrimination, xenophobia and related intolerance, speakers said they were seriously committed to the fight against racism, racial discrimination, xenophobia and related intolerance, and condemned any attempt to differentiate, exclude, restrict or give preference on the basis of colour, sexual orientation, gender and other categories. Some expressed continued concern over the efforts by some quarters to stereotype, stigmatize and vilify Muslims. There was continued concern over the efforts by some quarters to stereotype, stigmatize and vilify Muslims and speakers condemned the negative stereotyping and so-called "demonization" of any religion, and denounced the defamation of religious figures and symbols - such behaviour was both abhorrent and unacceptable and could never be justified on the grounds of freedom of expression. The latter was a fundamental human right, but it also came with responsibilities. The fight against racism and xenophobia remained a global challenge that required an equally global response. All States were invited to investigate cases of incitement to racism and hatred, and to strengthen religious and cultural tolerance. All acts of incitement to hatred on the basis of religion were condemned, as were all acts targeting commercial activities and religious sites. If political will existed to strengthen human rights and spread the culture of peace and tolerance, only then could the freedom of religion or belief be ensured, and all should ensure the implementation of justice and policies that guaranteed justice for all. Racism, racial discrimination, xenophobia and related intolerance could not be eradicated overnight. There was a need for political will and consistent work, and an effective tool in this regard was the implementation of the Durban Declaration and Programme of Action and the Durban Review Conference Outcome Document. There were still clear gaps in international work to combat these phenomena, and the dialogue should continue.

Concerning the Ad Hoc Committee on the Elaboration of Complementary Standards, speakers were concerned that not much progress had been achieved so far as a result of the significant lack of will demonstrated by some delegations. Racism was a real phenomenon, and its victims were real human beings. While the existing instruments were acknowledged, there were identified gaps, and the speakers sought the cooperation of all concerned towards arriving at a consensus on how to fill these gaps.

Speaking in the general debate were Spain on behalf of the European Union, Nigeria on behalf of the African Group, Pakistan on behalf of the Organization of the Islamic Conference, Switzerland on behalf of the Cross Regional Group on Complementary Standards, Indonesia, Argentina on behalf of Brazil, China, Qatar, Saudi Arabia, Egypt, Russian Federation, Cuba, Norway, United States, South Africa, Algeria, Venezuela, Kuwait, Singapore, Holy See, Libya, Armenia, African Union, Azerbaijan, Iran, Syria, Iraq and Turkey.

The following non-governmental organizations also took the floor: Union of Arab Jurists, Rencontre Africaine pour la défense des droits de l’homme, North-South XXI, Fraternité Notre Dame Inc., Becket Fund for Religious Liberty, Comite international pour le respect et l’application de la Charte Africaine des Droits de l’Homme et des Peuples, Interfaith International, International Humanist and Ethical Union, Charitable Institute for Protecting Social Victims, Organization for Defending Victims of Violence, Institute for Women’s Studies and Research, Indian Council of South America, United Nations Watch, Cairo Institute for Human Rights Studies, Association for World Education, European Union of Public Relations, Commission to Study the Organisation of Peace, International Movement Against All Forms of Discrimination and Racism, Indian Council of Education, International Youth and Student Movement of the United Nations, Pax Romana, World Union of Progressive Judaism, Liberation, and Indian Movement “Tupaj Amaru”.

The Council will next meet at 9 a.m. on Wednesday, 24 March, to hold interactive dialogues with the Independent Expert on the human rights situation in Somalia and on the joint report on the Democratic Republic of the Congo. A general debate under the agenda item on technical assistance and capacity building will follow.

Document

The report of the Working Group of Experts on People of African Descent Visit to Ecuador (22 to 26 June 2009) (A/HRC/13/59) says problems faced by people of African descent in Ecuador – including a lack of access to basic services and negative representation in the media – are attributable, in large part, to the legacy of Ecuador’s colonial past. In that regard, the new Constitution adopted in 2008, which allows for advances to be made in the protection and promotion of the human rights of all vulnerable groups, will go a long way towards redressing historical injustices and disenfranchisement of this sector of society.

Presentation of Report by Chairperson of Working Group of Experts on People of African Descent

MIRJANA NAJCEVSKA, Chairperson of the Working Group of Experts on People of African Descent, speaking on the country visit to Ecuador, said the Working Group appreciated that the Government of Ecuador was open, aware of the existing problems and committed to facing these challenges with innovative programmes and legislative initiatives. Ecuador had demonstrated its commitment to combating racism and discrimination by signing and ratifying a series of international conventions that dealt with racism and discrimination. The Working Group was particularly impressed by the new Constitution, adopted in 2008, which allowed for advances to be made in the protection and promotion of the human rights of all vulnerable groups, including the population of African descent, as well as institutional development following the adoption of the Constitution. No country was free from racism, and Ecuador was no exception. The Government recognized that there was racism in Ecuador, although it was not manifested openly in society and there were no racist movements. However, it had deep roots in the colonial past of the country, which informed its collective psyche to this day. During the visit, the Experts identified the existence of a generalised feeling among people of African descent of being discriminated against, structural and widespread in everyday life, which, according to them, was based on widely held stereotypes and prejudices.

The Working Group found that the problems faced by people of African descent related mainly to a lack of access to such basic services as adequate housing, healthcare and education, disproportionately high levels of unemployment and representation in detention centres, an undervaluing of the Afro-descendent contribution to the national identity, and their negative representation in the media. The Working Group noted the unprecedented amount of resources that the Government had invested in social services during the last two years, particularly to benefit poorer sectors of society and recognized that this would have a continuing beneficial impact upon many persons of African descent, but suggested that targeted investment directed specifically towards Afro-descendent communities was also necessary to alleviate the serious shortfalls in the provision of fundamental services that some of these communities endured. The Experts underlined the importance of civil society's role in combating discrimination, and urged the Government to take active steps to strengthen the development of, and participation in public life by Afro-descendent civil society groups and movements. The Experts encouraged the Government to continue to adopt the necessary legislation which would offer a real opportunity to redress the historic, structural and long-endured discrimination faced by people of African descent in Ecuador.

Statement by Concerned Country

MAURICIO MONTALVO (Ecuador), speaking as a concerned country, thanked the Working Group for its report. Ecuador especially appreciated that the Working Group had referred to the Law on Collective Rights and recognized the particular mention of the National Development Plan. After a broad and inclusive process of dialogue, Ecuador had adopted its new Constitution in 2008; it embodied innovative elements, based on the principle that Ecuador was a pluri-national State. Also, nobody could be discriminated against on the grounds of ethnicity or cultural identity. A racist motive was an aggravating circumstance when a crime was committed. Among the problems currently affecting Afro-descendants in Ecuador were access to basic services such as health services and education, as well as access to adequate housing. Ecuador had taken note of all the recommendations of the Working Group and it had already begun initiatives, such as the launching of a national campaign to promote multi-culturalism. Ecuador had also established a centre for Afro-descendant studies. Further, Ecuador was currently implementing programmes to improve Afro-descendants’ access to education. The issues being discussed today were of high importance for their Government.

Interactive Dialogue with Chairperson of Working Group of Experts on People of African Descent

ANNA CHAMBERS (United States) expressed the appreciation of the United States for the work of the Working Group of Experts on People of African Descent and for its visit to the United States in January. Over the past decade, the United States had made great progress in combating racism and racial discrimination, although it recognized that more could be done. It also appreciated the professionalism and the approach of the Working Group’s members. The United States made a special mention of its respect and gratitude for the work of Professor Rex Nettleford. They had been inspired by his intellect and his profound commitment to the eradication of racial discrimination.

HAMZA AHMED (Sudan), speaking on behalf of the Arab Group, said the Arab Group agreed with the recommendations submitted by the Working Group working on the implementation of the Durban Declaration and Programme of Action. Sixty years after the adoption of the Universal Declaration of Human Rights, a declaration which stipulated that all human beings were born equal in dignity and rights, today the world was witnessing the ongoing existence of discrimination, on a daily basis, and it fell to the international community to fight against this discrimination and its causes. In the context of what was agreed on the Durban Declaration and Programme of Action, it was key to strive to eliminate all forms of racism and discrimination, and in this context the Arab Group was following the Ad Hoc Committee on Complementary Standards in charge of standards, and was sad to see no progress therein. The Arab Group also wished to pay tribute to the Ambassador of Algeria for his efforts to bridge differences and remaining gaps, and considered that the draft declaration presented by the African Group was a good start. The decision by Switzerland to ban minarets showed considerable fear, and this was expressed by a number of extremist groups who found this fertile ground to disseminate their fears. The situation in the Occupied Territories and the acts by the Israeli authorities there was grave, and the occupying power was depriving the Palestinians of healthcare and basic services, as well as taking hold of certain traditionally Muslim sites. This regime continued to promote injustice, and this behaviour fuelled discrimination and hatred, going against the very spirit of the United Nations, which strove to fight against these feelings and against discrimination.

ADEL SHALTUT (Libya) said Libya thanked the Working Group for its report. The Libyan Government had considered the report with great interest. The municipal authorities of Quito had taken several measures to promote and improve the situation of people of African descent. They had been fighting illiteracy and had launched a comprehensive plan of education for people of African descent. Libya agreed with the conclusion of the Working Group to call on Ecuador to adopt a text on discrimination. Libya also welcomed the steps that had been taken by Ecuador in the period of 2007 to 2008 in improving the situation of women of African descent.

Mr. T. GUTIERREZ, of Defender del Pueblo of Ecuador, said the Ombudsman of Ecuador would like to welcome the presentation of the report by the Working Group on its visit to the country. The Office of the Ombudsman was independent. Ecuador was a multi cultural country and had natural diversity at a high level, with ethnic mixture. Limited participation by certain social groups represented a barrier to these groups and was thus a violation of their rights. The Ombudsman could intervene in human rights violations and it had adopted resolutions which condemned those responsible for the violation of human rights. Among the recommendations of the Working Group, the Ombudsman highlighted the one to bolster the work of the Ombudsman and the creation of a sub unit to work on the Afro Ecuadorian population. It had an ethnic issues coordinating unit. It had the direction for the promotion of the rights of these people and it would look at Afro Ecuadorian rights and promote actions in that vein.

JAN LONN, of International Youth and Student Movement for the United Nations, said the report showed how important the Working Group of Experts was for the follow-up to the implementation of the Durban Declaration and Programme of Action. At its eighth session in 2009, the Working Group discussed a reinvigorated programme of activities, and this was appreciated by attending non-governmental organizations. The Working Group would not assume a critical role in the elaboration of a draft programme for the International Year for Persons of African Descent, to be held in 2011. The Acting Chair of the Group should say what measures had been taken to consult with the Office of the High Commissioner for Human Rights to ensure support for the attendance of NGOs representing persons of African descent at the sessions of the Working Group.

Concluding Remarks by the Chairperson of the Working Group of Experts on People of African Descent

MIRJANA NAJCEVSKA, Chairperson of the Working Group of Experts on People of African Descent, in concluding remarks said that she was happy to note that the Ecuadorian Government was already taking some steps in directions of some of the recommendations of the report. As was noted in the report, the basic institutions were already in place in Ecuador. What was needed as the next step would be the implementation of the measures. She also outlined her deep concern about the loss of the Working Group member Professor Nettleford. She hoped that they would be able to protect the spirit of his ideas in their upcoming work. The Ombudsman of Ecuador should work towards better protection of the rights of the Ecuadorian people. What should also be addressed was how to get further resources to enable the attendance of much more people to the Working Group‘s specific events during the next year.

Documents

The report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its seventh session, Chairman-Rapporteur: Mohamed Siad Douale (Djibouti) (A/HRC/13/60) summarizes the deliberations of the session held from 5 to 16 October 2009, including discussions on the implementation of previous decisions and the effectiveness of the Working Group, migration, protection of children and employment and conclusions and recommendations with regard to those issues.

The report of the Ad Hoc Committee on the elaboration of complementary standards on its second session, Chairperson-Rapporteur: Idriss Jazaïry (Algeria) (A/HRC/13/58) contains text proposals formulated during the session, as well as amendments and proposals submitted to the Secretariat up to two weeks following the session, provided the proposals were articulated during the session. Summaries of views and full position papers are contained in A/HRC/13/CRP.1.

Presentation of Reports by Intergovernmental Working Group on Effective Implementation of the Durban Declaration and Ad Hoc Committee on Complementary Standards

MOHAMED SIAD DOUALE, Chairperson-Rapporteur of the Inter-Governmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, said the Durban Review Conference and the adoption of its Outcome Document reinvigorated the commitment by States to the anti-racism agenda. The Outcome Document, together with the Durban Declaration and Programme of Action, provided the most comprehensive global framework to date for combating racism, xenophobia, and related intolerance, which were a concern to all peoples and countries, occurring on a daily basis, hindering progress of millions of people around the world, denying individuals the basic principle of equality and fuelling ethnic hatred that could destroy lives and communities. No country could claim to be free of this scourge - through history, the most egregious crimes were rooted in racism, which included genocide, slavery and apartheid. It was the international community's responsibility to work whole-heartedly towards the eradication of these ills.

The seventh session of the Working Group, which took place six months after the Durban Review Conference, offered a crucial opportunity for States to reaffirm their commitment to the struggle against racism, racial discrimination, xenophobia, and related intolerance. The Working Group reviewed the implementation of its previous decisions and analysed its effectiveness in the framework of resolution 11/12 of the Human Rights Council. Concerning the implementation of previous decisions, the Working Group decided to allocate sufficient time in its upcoming sessions for Member States and other stakeholders to share their experience, including on good practices. The Working Group also committed to undertake further measures to increase awareness of its recommendations and other relevant reports and studies by human rights mechanisms at the level of the Human Rights Council. The Working Group emphasised the high importance of elaborating and adopting national action plans to combat racial discrimination and related intolerance, with the active participation of all stakeholders. The Working Group, committed to improve its methods of work, decided to achieve better coordination and ensure synergy with other human rights mechanisms, and engaged in an interactive dialogue with experts on the theme of migration, employment, and protection of children.

IDRISS JAZAIRY, Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards, said the Committee’s second session took place in Geneva from 19 to 30 October 2009. The session had provided an opportunity to build on the momentum of the Durban Review Conference and to focus on the challenge of addressing more effectively racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations. After several rounds of consultations with coordinators and interested delegations, a number of issues had been identified for inclusion in the programme of work and had been discussed during the session. Those issues included advocacy and incitement to racial, ethnic, national and religious hatred; comprehensive anti-discrimination legislation; discrimination based on religion or belief; hate crimes; human rights education; and provision of free legal aid to victims. Substantive discussions had taken place on these topics and others and an important number of concrete proposals of language had been made throughout the session on each topic. The report of the second session of the Ad Hoc Committee was before the Council today, containing text proposals formulated during the session as well as amendments and proposals submitted to the Secretariat up to two weeks following the session, provided the proposals had been articulated during the session.

Sharing some thoughts with the Council after his two years of chairmanship of the Ad Hoc Committee, Mr. Jazairy said after two years of sustained endeavours he had a feeling of an unaccomplished task in the fulfilment of the mandate, despite his tireless efforts as a bridge builder. He ascribed this disappointing experience to the extremely polarized positions in the Committee. That seemed to be attributable to a basic difference of perceptions on the notion of “gap” justifying the necessity to draw up complementary standards. Mr. Jazairy would have wished, at this stage, to chart a roadmap to the successful outcome of the deliberations of the Committee. However, the polarisation of positions in the Committee and the lack of space given to Mr. Jazairy beyond policing the debate in order to contribute conceptually to bridge-building prevented him from taking this course of action. Mr. Jazairy was of the view that the Committee’s new Chair should be appointed soon after the closure of this session rather than at its next scheduled meeting in November 2010. That would allow the office-bearer to avail himself/herself of the next eight months to design a different style for the way the Ad Hoc Committee discharged its business. Mr. Jazairy invited all parties to give his successor the space he was not given to exercise intellectual leadership, and to vest that person with more trust so he/she could chart the narrow and winding path to a successful outcome of the Committee’s work.

General Debate on Racism, Racial Discrimination, Xenophobia and Related Intolerance

LORETTA CARRILLO MODDERMAN (Spain), speaking on behalf of the European Union, said the European Union was seriously committed to the fight against racism, racial discrimination, xenophobia and related intolerance. Furthermore, the European Union condemned any attempt to differentiate, exclude, restrict or give preference on the basis of colour, sexual orientation, gender and other categories. All Member States of the European Union benefited from the work of the Organization for Security and Cooperation in Europe and the Council of Europe. The European Union invited all States to consider their best practices in their respective regions. It urged States to seriously consider subscribing to this instrument. Unfortunately it had come to the attention of the European Union that while it agreed with the contents of the outcome report from last October, the final version had not accurately reflected what had previously been acknowledged. To conclude, the European Union stressed that the fight against racism and xenophobia remained a global challenge that required an equally global response. The European Union was readily available to work together with other States to oppose this scourge, irrespective of where it occurred.

OSITADINMA ANAEDU (Nigeria), speaking on behalf of the African Group, said it was nearly 10 years since the historical gathering in which Member States of the United Nations committed themselves further to the struggle against all forms and manifestations of racism by adopting the Durban Declaration and Programme of Action. The consensual manner in which this was achieved was clearly significant, and immediate steps were taken, one year after, to ensure implementation of its provisions. One such step was the creation of the Inter-Governmental Working Group to follow up the implementation of the Durban Declaration and Programme of Action. The work of the Durban follow-up mechanisms and the Ad Hoc Committee on the Elaboration of Complementary Standards, and in particular their future, was of immense significance to the African Group. The African Group was concerned that not much progress had been achieved so far as a result of the significant lack of will demonstrated by some delegations. Racism was a real phenomenon, and its victims were real human beings. While the existing instruments were acknowledged, there were identified gaps, and the African Group sought the cooperation of all concerned towards arriving at a consensus on how to fill these. The African Group was not opposed to a steadily progressive approach in this endeavour, and held dear the relevance of recognising all contemporary manifestations of racism, and reaffirmed its unequivocal commitment to the realization of the vision outlined in the Durban Declaration and Programme of Action.

ZAMIR AKRAM (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said the Organization of the Islamic Conference welcomed the report presented by Mr. Jazairy. Under his able leadership, different regional groups had actually put on the table their proposals and counter-proposals on contemporary manifestations of racism, racial discrimination, xenophobia and other related intolerance. As for the future work of the Committee, the Organization of the Islamic Conference looked forward to a consensus resolution in this session, which hopefully would lead to some meaningful outcome. While ready to work on a progressive approach, the Organization of the Islamic Conference emphasized the need to recognize the importance of all contemporary manifestations as well as an agreed time frame to address these in a holistic fashion. It was therefore necessary to work on one comprehensive additional protocol that could deal with different manifestations in a step-by-step approach. The Organization of the Islamic Conference expressed its continued concern over the efforts by some quarters to stereotype, stigmatize and vilify Muslims. The Organization of the Islamic Conference had tabled its traditional resolution on combating defamation of religions that asked for addressing the root cause of those xenophobic attitudes in a holistic manner.

BARBARA FONTANA (Switzerland), speaking on behalf of the Cross Regional Group on Complementary Standards, said the Cross Regional Group on Complementary Standards had been actively engaged in the substantive work of the Ad Hoc Committee, including throughout its second session. It regretted that the document omitted the contextual information behind its proposals. Consensus seeking should be the working method. The Cross Regional Group remained unconvinced of the need to elaborate complementary standards in the form of an additional protocol at this stage. It was convinced that it could continue to benefit from the inputs of experts, additional empirical data and policy-oriented research. It noted with grave concern the persistence of racism, racial discrimination, xenophobia and related intolerance. The Cross Regional Group also expressed its readiness to work on issues such as discrimination based on religion or belief, incitement to racial, ethnic hatred, multiple forms of discrimination and profiling. Although it considered that it was premature to envisage the drafting of a legally binding document, it would remain actively engaged in this process.

DICKY KOMAR (Indonesia) said Indonesia had a staunch commitment to combating all forms of racism, racial discrimination, xenophobia, and related forms of intolerance, and fully supported and recognized the supreme importance of the Durban Declaration and Programme of Action and the challenges facing its implementation. There still remained a need for closer partnerships and international cooperation between Governments and human rights mechanisms, regional and national organizations, to advance progress in combating all forms of discrimination in society. The report recommended that Member States incorporate anti-discrimination issues into national action plans and domestic legislation, and to this end Indonesia wished to highlight its enactment of the Anti-Discrimination Law in 2008, and the significant progress it had had in combating all forms of racial and ethnic intolerance within its multi-cultural society. Indonesia condemned the negative stereotyping and so-called "demonization" of any religion, and denounced the defamation of religious figures and symbols - such behaviour was both abhorrent and unacceptable and could never be justified on the grounds of freedom of expression. The latter was a fundamental human right, but it also came with responsibilities.

SEBASTIAN ROSALES (Argentina), also speaking on behalf of Brazil, expressed thanks for the reports of the Working Group on African Descent, that of the Ad Hoc Committee on the Elaboration of Complementary Standards as well as the report of the Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. The Argentinean and Brazilian delegations reaffirmed their commitment to the Durban Declaration and Programme of Action and its implementation. They also expressed their belief that by strengthening that mechanism, and giving it consistency and efficiency, all of the Council’s Member and Observer States would benefit of the contributions and exchanges that existed in that framework. Argentina and Brazil had actively participated in the debates and had made proposals for the improvement of the work of that Working Group. They noted with satisfaction that those recommendations were reflected in the report, and hoped that they would be implemented by the Working Group as of its next session. The Argentinean and Brazilian delegation would continue to participate actively and constructively in the context of that mechanism and would collaborate with the Chair of the Working Group in order to contribute to a successful outcome of the work.

KE YOUSHENG (China) appreciated the report submitted, describing the Working Group on people of African descent as a key body. Historically, Africa had suffered from slavery. Afro descendents had become its main victims. The Durban Declaration had pointed out the future direction for the course of action. What was important now was a genuine doing away with discrimination. The promotion of human rights should be comprehensive and balanced. Wiping out discrimination was one of the most important issues to ensure human rights. The future remained far from optimistic. Various new forms of discrimination had continued to crop up. Xenophobia and discrimination against migrants continued to persist. The international community should put combating racism as one of its targets. China urged States to promote the harmonious existence of various nations and to promote the world’s diversity.

KHALID FAHAD AL-HAJRI (Qatar) said Qatar welcomed the reports that were just presented and wished to applaud their excellent quality. The Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference were extremely important in strengthening the dialogue between religions, and helping to fight against racism. All Member States of the United Nations and stakeholders should take the necessary measures to combat these phenomena, and media campaigns and public awareness campaigns should be strengthened to combat them. All States were invited to investigate cases of incitement to racism and hatred, and to strengthen religious and cultural tolerance. All acts of incitement to hatred on the basis of religion were condemned, as were all acts targeting commercial activities and religious sites. Qatar was concerned that religious stereotypes were being spread, with attempts made thus to justify violence. Qatar believed that if political will existed to strengthen human rights and spread the culture of peace and tolerance, only then could the freedom of religion or belief be ensured, and all should ensure the implementation of justice and policies that guaranteed justice for all.

KHALID MOHAMMAD KARAKUTLY (Saudi Arabia) said racism, xenophobia and other forms of intolerance continued to exist despite efforts being taken. In fact, the number of such acts was growing in each country, highlighting the need to take additional efforts. As for groups that attempted to spread negative images of different religions, the Saudi Arabian delegation said that those phenomena should be fought and that Saudi Arabia’s laws therefore prohibited the creation of organizations that spread such beliefs and incited hatred. Further, all of Saudi Arabia’s laws were based on Sharia. On the other hand, its laws were in line with the International Convention on the Elimination of All Forms of Racial Discrimination and Saudi Arabia had acceded to that Convention. There was a need for cooperation between States, religions and cultures, the delegation said, explaining that therefore a meeting had taken place in Spain, sponsored by the King of Saudi Arabia and the King of Spain. Also, the King of Saudi Arabia had convened a meeting in 2008 during which the participating countries had insisted that respect must to be strengthened.

MONA ELBAHTIMY (Egypt) said the African continent had suffered for centuries from the historic legacy of racism, slavery, colonialism and the plundering of its resources. The fight against racism represented the number one priority of African countries in the international human rights agenda. In the aftermath to 9/11, the consequences of which were suffered mainly by people of African descent, the fight against racism, racial discrimination, xenophobia and other intolerances was a collective responsibility which all should shoulder. Egypt called on all States to join forces to fight the scourge of this phenomenon by urgently implementing all the provisions of these two documents. Egypt recalled that no right was absolute. All rights carried responsibilities. Egypt expressed dismay at instances of racial, religious and cultural prejudices, which continued to undermine the enjoyment of human rights. Furthermore, it expressed deep concerns at the defamation of religious personalities, holy books and scriptures.

ROMAN KASHAEV (Russian Federation) said in May this year humanity would be celebrating the sixty-fifth anniversary of the end of the Second World War, when they came together to stop the horrors and ensure it would never happen again. And yet, even today, there were the voices of those who would re-write history, justify Nazism, and make Nazi supporters heroes. The politicisation of history could only give rise to concern. Decisions taken in some European countries to fill narrow interests led to hatred among the population, with nationalist and religious underpinning. There was a growing number of neo-Nazis in Europe, and a growing number of crimes on nationalistic bases. Neo-Nazi outbursts in many cases were qualified as crimes against public order or freedom of expression, and this was unacceptable. The Special Rapporteur on contemporary forms of racism should submit this year to the Council a special report on the inadmissibility of such expressions of racism, as requested many times by the General Assembly. The Special Rapporteur and the Secretariat should clearly implement the instructions given, and not have a selective approach in this work. Racism, racial discrimination, xenophobia and related intolerance could not be eradicated over-night. There was a need for political will and consistent work in this regard, and an effective tool in this regard was the implementation of the Durban Declaration and Program of Action and the Durban Review Conference Outcome Document. There were still clear gaps in international work to combat these phenomena, and the dialogue should continue.

JUAN ANTONIO QUINTANILLA ROMAN (Cuba) said democracy and effective realization of human rights could not co-exist with racism and racial discrimination. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance marked a major step in the fight for equal rights among all human beings. Nevertheless, and despite the fact that superior races did not exist, discrimination against people still existed on the grounds of race, nationality and religion or belief. In fact, in some countries, culture, religion and customs created a situation where some groups were categorized and subjected to attacks. New information and communication technologies were also used to spread hatred. The Cuban delegation observed that there was a need to implement the provisions of the Durban Declaration. Cuba hoped that that the work of the Working Group on the Effective Implementation of the Durban Declaration and Programme of Action would contribute to implement the resulting obligations. Cuba reiterated its willingness to support any initiative that helped to fully implement the provisions of the Durban Declaration.

GEIR BJOBERG (Norway) said the concept of non-discrimination lay at the heart of human rights. Racism remained one of the most dangerous forms of discrimination. Norway remained fully committed to the fight against racism, racial discrimination, xenophobia and other intolerance. Norway attached great importance to following up on the Durban Declaration and Programme of Action as well as the Outcome Document of the Durban Review Process. Racism could only be combated effectively by means of continuous and systematic efforts. A black and white version of the globe had made the world a more dangerous place. Norway particularly applauded the efforts of the United States under the Obama administration. It would remain engaged and encouraged all actors, including civil society and Governments, to engage constructively in this process with a view to moving the common agenda against racism and discrimination forward.

EILEEN CHAMBERLAIN DONAHOE (United States) said the United States Government recognized that its history reflected lapses, challenges, struggles, and, encouragingly, on-going progress. The United States continued to examine itself, knowing that it was not immune to acts of intolerance, and that it was only through hard work and careful scrutiny that it could push back against intolerance and discrimination both in the United States and around the world. Its diverse society had become a source of pride for the United States. However, it was not enough to simply write the laws that constituted visible legal barriers to discrimination; rather, eliminating racism was an ongoing struggle for the United States and for the rest of the world. As the international community reflected on what Governments could and must do to protect the rights of their citizens in the fight to eliminate racial discrimination, the United States Government was taking concrete initiatives in this regard. The United States valued the work of the Council to continue to focus the world's attention on building greater resolve and enduring political will to halt racism and racial discrimination, wherever they occurred, and looked forward to continued opportunities to work in all United Nations fora and with all nations to combat bigotry and discrimination.

LUVUYO NDIMENI (South Africa) said South Africa welcomed the report of the Working Group on People of African Descent. The South African delegation welcomed the visits of the Working Group as those enabled countries to identify strategies that addressed challenges specific to a particular situation. South Africa encouraged the Working Group to conduct more such visits. South Africa regretted that not much had been accomplished during the previous sessions of the Ad Hoc Committee in spite of outstanding efforts of the Chairperson-Rapporteur to move the process forward. One decade after the adoption of the Durban Declaration and Programme of Action, South Africa urged the Council to rededicate itself to uprooting those scourges from societies. The delegation further said that the vast differences among Member States were not conducive to tackling such emotive and sensitive issues, and underscored that all parties needed to redouble their efforts to engage in dialogue, reach out to one another, learn more about each other’s concerns, and strike compromises.

BOUALEM CHEBIHI (Algeria) said the conclusions and recommendations adopted by the Working Group would gain its support, especially those linked to future sessions. It had also actively participated in discussions of the Working Group on migrants and children. There were loopholes in protecting against contemporary forms of racism. Algeria thanked Ambassador Jazairy for his efforts and wished him and his successor every success, assuring the latter of Algeria’s continued constructive engagement and support to achieve the Committee’s mandate of putting in place complementary norms.

EDGARDO TORO CARRENO (Venezuela) observed that the Working Group of Experts on People of African Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration were doing valuable work to combat racism, racial discrimination, xenophobia, and related intolerance, and Venezuela had participated in the work of the mechanisms. There was a pressing need to draft complementary standards on the subject, which would aim to eradicate these scourges that undermined the dignity of the human person. Decisive support should be given to the work and the debates that aimed to smooth out the system. Venezuela encouraged all delegations to unite their efforts and political will to achieve the objectives of the mandates, encouraging tolerance and mutual understanding between all peoples.

JARRAH JABER AL-SABAH (Kuwait) said Kuwait agreed with the High Commissioner for Human Rights as to the need to enhance religious tolerance, and underscored the importance of the Durban Declaration and Programme of Action in that regard. It was necessary to step up international efforts on the basis of international texts. For its part, Kuwait had made huge efforts both at national and regional levels to combat extremism. It welcomed the projects and programmes aimed at enhancing dialogue among decision-makers, through seminars and other means, and underscored that even if States shouldered a large responsibility, their efforts could not yield fruit without the participation of intellectual figures and civil society.

YORK CHOR TAN (Singapore) thanked Ambassador Jazairy for his efforts. Singapore was a diverse migrant, society. Given its diversity, Singapore highly valued racial and religious diversity. It was honoured to host in August 2010 the inaugural Youth Olympic Games, which would attract 500 youth athletes to compete in summer sports in roughly 200 events. Sport was not only about winning but also about how people competed. The Youth Games would feature a culture and education programme to create a world free from racism, intolerance and discrimination. Through the Games, Singapore hoped to share its values with youth. Singapore hoped that other Member States would join it and become co-sponsors of a resolution on sport and anti-discrimination.

SILVANO TOMASI (Holy See) said increasing instances of ridiculing of religion, or lack of respect for religious personalities and symbols, of discrimination and killings of followers of minority religions, and a generalized negative consideration of religion in the public arena had damaged peaceful coexistence and hurt the feelings of considerable segments of the human family. Those occurrences raised political and juridical questions regarding the way and the extent the implementation of human rights – and especially the right to religious freedom – should protect people in their personal and collective exercise of faith and convictions. Since belief systems were diverse and even in contrast among themselves, the justification for their respect would have to come from a universal foundation that was the human person. The Universal Declaration of Human Rights and other human rights instruments provided a clear direction. Pertinent legislation should be oriented to achieve the common good and should be based on values, principles and rules that reflected human nature and were part of the conscience of the human family, rather than on one or the other religion, while taking into account the full implications of freedom of expression and religion. Present binding international and national juridical instruments, if properly applied, could remedy the gratuitous offences to religions and belief through the enactment of measures that safeguarded the common good and public order.

ADEL SHALTUT (Libya) noted that, in spite of the many years that had passed, and despite the fact that people had opened up to other cultures, racism continued to exist. The Palestinian people, for example, continued to suffer from racism. In clear defiance of international human rights instruments, as well as of instruments related to racism and racial discrimination, Israel persisted in wanting to set up a purely Jewish State that was cleansed in religious terms. What kind of dialogue could they hope for in that context? Did not such racism call for action? Libya also remained concerned that Switzerland had decided to prohibit the construction of minarets. Those had always been associated with Mosques and deciding to prohibit their construction meant that places of worship were difficult to identify. That made it difficult for Muslims to practice their beliefs, which was a clear violation of the right to religion or belief. Libya called for the High Commissioner and the relevant Special Rapporteur to put pressure on Switzerland to abide by its international obligations and to lift the ban on the construction of minarets. Libya further condemned the threats made by Swiss parliamentarians regarding the use of armed force against Libya, which were also acts of racism.

SATENIK ABGARIAN (Armenia) said Armenia had always advocated for the elimination of all forms of racial discrimination and underlined the necessity of international cooperation and constructive participation in that endeavour. Armenia regretted, however, that it still saw situations of discriminatory practices in the form of hate speech, incitement to hatred, threats of resumed hostilities, deportation and targeting members of ethnic groups. Genocide was at the extreme end of institutionalized discrimination. The High Commissioner had underlined the need for the right balance between freedom of expression and the need to prevent incitement to hatred. However, to Armenia’s dismay, denial had become a major component of hate speech. If States wished to succeed in their collective efforts to eradicate all forms of racial discrimination they would be obliged to give a fair assessment of situations without double standards.

GEORGES-REMI NAMEKONG (African Union) observed that the fight against racism, racial discrimination, xenophobia and related intolerance was one of the main concerns of the Commission of the African Union, its Member States, and its peoples, who were those most affected by racism throughout the world. The results achieved by the Durban Declaration and Programme of Action since 2001 had been extremely modest, and many discriminatory practices still existed, with increased trends towards racism and racial hatred. An appeal had been launched to all Member States to do what they could to meet the commitments flowing from national and international conferences and work towards preventing racism, racial discrimination, and other contemporary forms of racism. Hesitations that continued to be noted in the work of the Ad Hoc Committee on Complementary Standards and of the Working Group on the implementation of the Durban Declaration and Programme of Action were worrisome. Any proposal or initiative should not lead to jeopardizing or putting into question the Programme of Action, the Durban Review Conference or the relevant decisions of the Council.

HABIB MIKAYILLI (Azerbaijan) said Azerbaijan was concerned at the increasing acts of religious discrimination and especially negative stereotyping of religions in many parts of the world. National efforts were crucial in defeating that alarming phenomenon and at the same time effective measures should be taken at the global level. Azerbaijan gave its support to the traditional resolution of the Organization of the Islamic Conference, entitled “combating defamation of religions”. The outcome document of the Durban Review Conference reaffirmed that advocacy of national, racial and religious hatred that constituted incitement to disappearance, hostility or violence should be punished by law. In that context, Azerbaijan supported the activity of the Ad Hoc Committee on the elaboration of complementary standards. Azerbaijan attached great importance to the topics proposed and discussed in its past session. While respecting opposite views regarding the future of the process, Azerbaijan remained convinced of the need of developing legal instruments. It hoped that the draft resolution on the future work of the Ad Hoc Committee would be adopted by consensus at this session.

ASADOLLAH ESHRAGH JAHROMI (Iran) said the Durban Review Conference and its Outcome Document had been a turning point in the renewal of the commitment by the international community to fight against racism, racial discrimination, xenophobia and related intolerances. In that regard, taking further concrete measures at national, regional and international levels with a view to implementing the Durban Declaration and Programme of Action was of the utmost importance and required resolute actions by all members of the international community. Iran expressed concern over the increasing trend of the defamation of Islam under the guise of freedom of expression. The recent ban on the construction of minarets in Switzerland was a sign of intolerance towards Muslims, and a cause for serious concerns. Iran also attached great importance to mechanisms for follow-up to the Durban Declaration. It firmly believed that the dire and precarious situation of people living under occupation in and around Occupied Palestinian Territories and suffering under different forms of racism, required special attention with a view to eliminating those inhumane policies and practices.

ABDULMONEM ANNAN (Syria) observed that one year had elapsed since the Durban Review Conference, where the Islamic and Arab Group had played a primary role in the adoption of the Outcome Document. That document reviewed a certain number of issues whose implementation was still a major challenge for the mechanisms aiming to combat racial discrimination, and those seeking to spread racial and religious intolerance. That went beyond the challenges in the document on combating persistent forms of racism. How long would the international community remain silent, given the racist practices carried out by Israel in the full view of everyone? How long could it remain silent given the destruction of the people who had nothing? How could the international community implement the international commitments and support those actions? It was important to draft complementary standards and support the work of the Working Group on people of African descent.

HUSSEIN AL-ZUHAIRY (Iraq) said Iraq appreciated the Human Rights Council’s efforts in combating racism, racial discrimination, xenophobia and related forms of intolerance, as well as xenophobia and defamation of religion. It was important to take the necessary measures to confront those phenomena. Iraq therefore called upon all States to criminalize policies based on racial discrimination. A further concern was increasing Islamophobia, particularly against Muslim communities in non-Muslim countries. Iraq for its part continued to support international efforts aimed at the eradication of racism in all its forms in order to achieve the noble mission of the Universal Declaration on Human Rights.

ASU DURMUS (Turkey) said that racism, in all its forms, continued to hamper the exercise of the most fundamental human rights and freedoms. Last year, the Durban Review Conference had been an opportunity for the international community to renew its engagement. The consensual adoption of the Outcome Document had been a testimony to the collective commitment to fight against racism. That outcome, together with the 2001 Durban Declaration and Programme of Action should serve as a basis in the elaboration of policies against racism all over the world. Priority should be given to action-oriented measures to prevent and combat all manifestations of racism. Turkey thanked South Africa and the United States for their tireless efforts and for their draft texts concerning the mandate of the Ad Hoc Committee.

ELIAS KHOURI, of Union of Arab Jurists, in a joint statement with the International Organization for the Elimination of All Forms of Racial Discrimination, and Arab Lawyers Union, said the Durban Declaration and Programme of Action adopted by the international community to combat racial discrimination, xenophobia, and related intolerance were a solid basis for mankind to combat racial discrimination. The international community should work to implement those in an efficient way. The Durban Review Conference had condemned all forms of racism and xenophobia, but the vestiges of those still existed, with numerous expressions of hatred and fanaticism and with wars launched causally, without taking note of the lives of the victims. Civil society was particularly worried at the institutionalized, systematic racism committed against the Palestinian people, which, despite all obstacles still struggled for self-determination. The Council should adopt a resolution on Durban +10 in a sign of solidarity with all victims of racism and racial discrimination.

BIRO DIAWARA, of Rencontre africaine pour la défense des droits de l'homme, in a joint statement with Interfaith International and Al-Hakim Foundation, said albinos were sacrificed in some African regions in order to achieve power and fame within society. The most alarming cases were found in Tanzania, Burundi, and the Democratic Republic of Congo, where albinos were bought and sold and killed in the name of witchcraft. The Council should adopt appropriate measures to protect those vulnerable persons in Africa and throughout the world. It was indispensable to create an environment that was favourable for a consultation mechanism for experts among groups and Committees for more synergy, coherence, and dynamism between groups in addressing racism.

MARGREET WEWERINKE, of North-South XXI, said the struggle to rid the world from racial discrimination and associated forms of intolerance was of foremost concern to North-South XXI. To combat racial discrimination effectively, it was important not to close their eyes to the historic causes of that ugly phenomenon. The practices of colonialism and slavery had led to the arbitrary division of Africa that disregarded African peoples, laws, cultures, sovereignty and institutions. North-South XXI called upon the international community to evaluate its progress towards implementing the commitments made in the Durban Declaration and Programme of Action, as well as to ensure that resources were available for a Durban +10 meeting.

MARIE-SABINE LEGRAND, of Fraternité Notre Dame Inc., said hundreds of thousands of people were considered as second class citizens and racial inferiors in France due to their being members of minority groups. Also, Fraternité Notre Dame drew the Council’s attention to the seriousness of a new black list of religions, as called for by Miviludes (the French Inter-ministerial Mission for Monitoring and Combating Deviant Sects). The Institute on Religion and Public Policy had informed the Obama Administration that that list was a negation of fundamental human rights. Such a repressive measure did not have any place in a democratic and pluralist society.

LINDSAY BENNETT GRAHAM, of the Becket Fund for Religious Liberty, said that human rights belonged to humans, not ideas or even beliefs. Although often confused for one another, race was not the same thing as religion. Racism was a real problem, as was religious discrimination. But the law treated them differently because people were born with a race they could not change. Overbroad restrictions on expression, especially religious expression, were very easy to abuse. That was not an East-West issue, nor a North-South one; it was a global issue. At its last session, the Ad Hoc Committee could not even accept a programme of work until halfway through the second week. For too long, bitterness and self-righteousness had driven the work of the Committee. Addressing the defamation of religions issue in the form of a resolution or an optional protocol was a very bad solution.

MAURICE KATALA, of International Committee for the Respect and the Application of the African Charter on Human and Peoples' Rights, said that the Durban Declaration had drawn attention to the treatment given to migrants and refugees. Xenophobic and racist attitudes against them were serious violations of human rights. In order to ensure implementation of the Declaration, a credible alternative to the Convention on the Protection of Migrant Workers and their Families was needed, because everyone knew it would never be ratified by all countries. They also should ensure better terms of trade to combat clandestine migration.

SAYYED-MOHAMMAD MUSAWI, of Interfaith International, wished to draw the Council's attention to the plight of millions of Shia Muslims who were citizens of countries signatories to the Universal Declaration of Human Rights, but who were still suffering from discrimination just because of their faith. As the world was suffering from anti-Semitism, Christianophobia and Islamophobia, the Shia Muslims suffered from both Islamophobia and Shia-phobia, as they were minorities in many Muslim countries, and those countries did not deal with them equally. Their children were denied their right to education, and their youth were deprived of equal opportunities. Many countries deprived the Shia community from religious freedom, banning religious books and denying them the right to build mosques and religious places. There should be an international initiative to counter discrimination against Shia Muslims in many countries.

ROY W. BROWN, of the International Humanist and Ethical Union, said the Council should pay attention to a report by the Pew Forum on Religion and Public Life, on global restrictions on religion, which found that 64 States with some 70 per cent of the world's population had high or very high restrictions on religion, the brunt of which fell on religious minorities. The report clearly showed that many of the States promoting resolutions combating defamation of religion were among those least respectful of freedom of religion, and exposed the double standards at play in their calling for "complementary standards" and further restrictions on the freedom of expression. The concept of defamation of religions had no basis in international law; such resolutions violated the right to both freedom of religion and freedom of expression. Laws against freedom of defamation of religion were equivalent to laws against blasphemy, and were equally open to abuse. The concerns those resolutions ostensibly sought to address would be better dealt with by a more uniform application of existing international laws against intolerance and discrimination.

MARYAM SAFARI, of the Charitable Institute for Protecting Social Victims, said that – following 9/11 and the targeting of Muslims with the accusation of terrorism – a new wave of Islamophobia which was more defamatory, widespread and complex had begun in the West. That, while the Muslim population of Europe made up a substantial part of the population and while anti-Islamic acts were in fact actions taken against the human rights of a vast part of the European population who could not easily enjoy their citizenship rights. The Institute called upon all Governments to refrain from ratifying discriminatory laws and from adopting positions whose effects were insults and violations of the rights of followers of other religions.

MAHMOUDREZA GOLSHANPAZHOOH, of the Organization for Defending Victims of Violence, said pre-planned and defamatory programmes by the media and on Internet did not result in bringing followers of different religions together. Rather, they had further distanced them from each other and even caused animosity. The Council should call upon all countries to adopt guarantees within their legal and constitutional systems that prohibited and prevented acts based on hate and racial discrimination, as well as activities aimed at spreading fear, abhorrence and defamation of religions. Establishing a real and long-lasting co-existence between freedom of speech and respect for other opinions and beliefs was an art that could be established only by patience and true listening.

Ms. S. SHAHSAVAND, of the Institute for Women’s Studies and Research, said that today the Islamic world was confronted with a large number of attacks against its beliefs. At a time when the Human Rights Council had passed a resolution concerning combating defamation of religions, those attacks were still being seen all over the world. The Institute for Women’s Studies and Research wished to express its deep concern in the face of the ever-increasing Islamophobia. Certain mass-media outlets were trying to destroy peace and stability. The Council also had to take positive and global measures to combat the harm done by Islamophobia and to reverse that trend.

RONALD BARNES, of the Indian Council of South America (CISA), said that in the Ad Hoc Committee’s report a block of Western States had said that there was no need for complementary standards to the Geneva human rights conventions. But they had not addressed the denial of the right of self-determination. States were called on to draft a resolution condemning the denial of the right of self-determination, including the situation of Alaska. Those States had to show that they were more than talking heads.

CINDY TAN, of United Nations Watch, said the Council, using special sessions, resolutions, or investigative inquiries, had to continue the noble struggle against racism and racial discrimination by urgently addressing the world's most compelling challenges, including the subjugation of women, discrimination against ethnic, racial and religious minorities, and acts of discrimination against migrant workers on the basis of their national or ethnic origin. Democracies were not immune from accountability. Discrimination against the structures of one particular religion was contrary to the principle of equality. At the same time, many of the countries protesting that action should end their own far worse practices of religious discrimination.

LAILA MATAR, of Cairo Institute for Human Rights Studies, said there was discussion to make freedom of expression conditional on any State's interpretation of what such freedom constituted. Many non-governmental organizations from the Arab region opposed the concept of defamation of religions, which was the sort of concept that was used to restrict the movement and work of many civil society organizations. The Council and its Member States should not ignore the rising chorus of voices around the world and of its own Experts who recognized that language was an important issue. Alternatives offered were wilfully ignored, as efforts continued to push through a concept that was more about politicization than about protection of religious minorities.

DAVID LITTMAN, of the Association for World Education, denounced the struggle by the Organization of the Islamic Conference, Pakistan and Iran regarding the blasphemy affair, followed by the Organization of the Islamic Conference-sponsored defamation of Islam resolution. Then came the Islamophobia monster that had been created 197 years after the creation of Frankenstein and curiously enough had become a hit.

STEPHAN CICCOLI, of the European Union of Public Relations, said South Asia was regarded as an ethnic melting pot. Most of the countries in South Asia were multicultural, multi-ethnic and multilingual. It was natural therefore that there was a persisting competition for resources among different groups. Due to lack of transparency and accountability in governance, many groups had felt alienated from the political system and had sought to adopt non-democratic means to achieve their goals. The Human Rights Council and other international institutions should provide all necessary support to Governments and civil society organizations that were engaged in combating those practices.

Mr. R. K.JOSHI of the Commission to Study the Organisation of Peace, said that States and national systems sought to prevent people from exercising their right to express themselves. Attacks on places of religion and culture, the deliberate fostering of religious hatred and denial of freedom of worship, among others, were phenomena that occurred particularly in countries where States defined their identity in terms of one or the other religion rather than ensuring that the nation-State was representative of all its citizens. It was the educational environment, combined with State structures that determined how a society would grow.

DAISUKE SHIRANE, of the International Movement Against All Forms of Discrimination and Racism (IMADR), urged the Council to work towards developing a consensus related to recognizing the draft United Nations Principles and Guidelines for the Effective Elimination of Discrimination Based on Work and Descent as an important international document. The international community should also support a fair and just trial and guarantee the right to defence in the Sayama Case, for which several United Nations human rights bodies had also recommended the disclosure of evidence to ensure a fair trial.

JASJIT KAUR, of the Indian Council of Education, said the ideals of democracy were not something that could be switched on and off. Only when those ideals became second nature to individuals was there any hope for the notion of guaranteed human rights. The Council had always maintained that the most basic freedom from which other freedoms flowed was the right of choice. Given the heterogeneity of mankind, the international human rights community had to ensure that different people were persuaded to dialogue with each other. Since they all lived within the framework of nation-States it became incumbent upon those to listen to the people. It was unfortunate that a deprivation of basic human rights occurred even in democratic systems when those seats of power became deaf to the voice of the people.

JAN LONN, of the International Youth and Student Movement of the United Nations, said the fact that the combat against racism and the implementation of the Durban Declaration and Programme of Action were kept as a permanent item on the agenda of the Council was a clear testimony to the central role that the United Nations gave to combating racism in the context of human rights. The many anti-racist movements and non-governmental organizations that met at the Civil Society Forum for the Durban Review Conference in April had been heeded by the General Assembly. Finally, the International Youth and Student Movement invited all to join in commemorating the International Day in Remembrance of Slavery and the Transatlantic Slave Trade later on today.

KUMAR SATYENDRA, of Pax Romana, said that, during 2009, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance had reaffirmed that discrimination on the grounds of caste constituted a form of racial discrimination, and that in the absence of such recognition by concerned States it would not be possible to effectively address the serious human rights violations and discrimination suffered by individuals and groups on grounds of caste and other systems of inherited status. Pax Romana supported the High Commissioner's commitment to continuously working on caste-based discrimination as a global human rights concern. The Council should bring caste-based discrimination into its agenda and provide mechanisms and procedures to address that concern.

DAVID LITTMAN, of World Union of Progressive Judaism, said that during the Council’s September session a number of issues had been raised by the World Union, including the freedom to change one's religion in all Member States of the United Nations which had signed the Universal Declaration of Human Rights. There had been no reaction. As a European diplomat he had seen a quantity of anti-Semitic publications in Damascus, books on sale outside many international hotels in many languages, including Mein Kampf and the Protocols of the Learned Elders of Zion. That was how children were being taught, even in Europe, in Muslim schools. It had to stop and had to be condemned in the Council and by the High Commissioner.

DIPMONI GAYAN, of Liberation, said that it was a horrible fact unnoticed by all that the Indian Constitution and various other Indian laws were based on racial discrimination in a very colourable and galvanized form to deceive world opinion. The policies of the Government of India somehow diversified people into numerous small groups of different caste, community and tribes for its convenience to rule, which led to conflicts among those little groups. Some policies had threatened the existence of indigenous people, in the name of development. The Human Rights Council should study those aspects of Indian Law.

LAZARO PARY, of the Indian Movement “Tupaj Amaru”, said that in terms of cause and effect racism and discrimination had their roots in European colonialism. The wounds stemming from that had still not healed. The colonial system had set up mechanisms that had been degrading, such as the crusades of extermination against aboriginal people, the Inquisition, servitude and the transatlantic slave trade. The conquest of the Americas had caused the genocide of historic communities. It had brought about the destruction of the unity between Man and nature. The current crusade against terrorism had brought about war and violence. The legitimate struggle of indigenous people was wrongly being criminalized as terrorist activities, including inside the United Nations.

Concluding Remarks

IDRISS JAZAIRY, Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards, in some concluding remarks, reminded all that the Council had spent quite a lot of energy on promoting and protecting the human rights of victims on the ground. However, it also had another role, which was norm setting. States were not doing as well on that. Human rights issues should not be North-South issues. The terms of reference of the Ad Hoc Committee were exclusively about elaborating legally binding texts. If one would not be prepared to consider the latter, one would be denying the validity of the resolution that had been adopted by the Council.

Turning to the report and its being short, Mr. Jazairy agreed with criticism in that regard. On Indonesia’s comment on reconciling freedom of expression and protecting the dignity of vulnerable groups, the general idea was that the Council had had a first workshop on the issue last year. It would be useful if the Office of the High Commissioner for Human Rights could consider organizing further workshops with a diversity of participants so that it could see how it could reach compromises. Between now and the next Ad Hoc Committee meeting, it might be useful to try and change the culture of the Ad Hoc Committee, to see if it could achieve a spirit of trust by giving the Rapporteur’s successor greater trust so that that person could be given the initiative to move forward. In closing, he noted that there to every cloud there was a silver lining. At the start, all participants had been in denial of the problems that existed in their everyday lives. By the second day, people had recognized that there were contemporary forms of racism and racial profiling. They had to make it work, and he was optimistic that that would happen.